



Entered on Docket
October 20, 2009

A handwritten signature in black ink that reads "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

KATHLEEN A. LEAVITT
CHAPTER 13 BANKRUPTCY TRUSTEE
201 Las Vegas Blvd South Suite 200
Las Vegas, NV 89101
(702) 853-0700
kal13mail@las13.com

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

JOHN P SCHULTZ

Debtor

Chapter 13
BKS-09-22483-BAM

**ORDER DENIAL OF CONFIRMATION AND
DISMISSING CASE**

Hearing Date: 10/08/2009
Hearing Time: 1:30 pm

The Trustee's Opposition to Confirmation of Plan Combined with Trustee's Recommendation of Dismissal filed in the above-captioned matter having on for hearing, the following parties have appeared: [X] Trustee [] Debtor [] Attorney for Debtor [] Other , and said Motion having been considered by this Court, and good cause appearing therefore;

IT IS HEREBY ORDERED that confirmation of the Plan is denied and that the above-captioned proceedings under Chapter 13 be DISMISSED for the following reason(s):

- Debtor failed to commence Plan payments [11 USC 1326(a)(1)]
- Delinquent Plan payments.

IT IS FURTHER ORDERED that the Trustee is allowed \$150.00 as and for expenses in the administration of this case.

DATED: 10/14/2009

Submitted by:

/s/ KATHLEEN A. LEAVITT
Kathleen A. Leavitt
Chapter 13 Trustee
(MJB)

LR 9021 certification language:

In accordance with LR 9021, counsel submitting this document certifies as follows ;

X I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

None -no parties appeared

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